



US Army Corps
of Engineers ®

Construction Bulletin

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CEMP-E

Subject: Hazardous Waste Manifest Signature and Procedures - Formerly Utilized Sites Remedial Action Program (FUSRAP)

Applicability: GUIDANCE

1. REFERENCES:

a. Construction Bulletin No. 96-9, dated 13 March 1996, subject: Hazardous Waste Manifest Signature Policy and Procedures.

b. Memorandum, CEMP-R, dated 12 December 1997, subject: Formerly Utilized Sites Remedial Action Program (FUSRAP) Approval Authorities and Response Action Process.

2. BACKGROUND. On 13 October, 1997, the responsibility for the administration and execution of the FUSRAP was transferred from the Department of Energy (DOE) to the USACE. USACE is considered to be the "responsible agency" for the FUSRAP sites and as such, will be responsible for the hazardous waste generated from those sites. In the near future, USACE construction personnel will be responsible for preparing and signing Hazardous Waste Manifests and other shipping documents for waste materials to be transported from FUSRAP sites. In the past, FUSRAP contractors were executing manifests and other shipping documents on the Government's behalf. This will change as new contracts are awarded by USACE and as USACE members receive the appropriate training necessary to assume these responsibilities.

3. PURPOSE. This Construction Bulletin (CB) provides guidance to USACE field construction personnel responsible for preparing and signing manifests and other shipping documents for hazardous waste to be transported from FUSRAP sites. This CB supplements information contained in reference 1a.

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4. Reference 1b. states that USACE intends to process manifests and other shipping documents for FUSRAP according to established procedures in the environmental restoration program. The memorandum reinforces several procedural issues which were previously disseminated to field construction personnel. Due to the importance of these procedures, these issues are resummarized below:

a. Only the District Engineer with delegated FUSRAP responsibility for a particular site shall authorize USACE personnel and FUSRAP contractors to sign manifests and shipping documents for that site.

b. Prior to offsite transport of waste, the responsible USACE District must ensure that the waste has been adequately characterized for the potential presence of radioactive contaminants and hazardous waste. Waste will be transported only to facilities which may lawfully accept the contaminants present in the waste.

5. ADDITIONAL GUIDANCE FOR FUSRAP.

a. When completing the EPA Uniform Hazardous Waste Manifest Form 8700-22A, USACE personnel shall enter in block #3 on the manifest form "U.S. Army Corps of Engineers," followed by the name and address of the USACE office that manages the returned manifest forms. In the generator's certification box (block #16), the USACE authorized employee would sign his or her name after typing or printing the phrase "On behalf of the U.S. Army Corps of Engineers." USACE personnel authorized to execute manifest forms and related documents shall assure compliance with all reporting requirements (e.g., exception reports, biennial reports and state reports) as well as follow-on requirements, including the assembly and retention of all appropriate documentation and certifications.

b. When the FUSRAP contractor signs the manifest form and related shipping documents on behalf of our organization, the contractor will follow same procedures as described in paragraph 5a. above except in block #3, where the contractor will enter the name and address of its organization.

c. In addition, since a large volume of soil will be moved by rail, generators must add the words "and rail" to the language currently found in block 16 of the manifest. The words "and rail" should be added after the word "highway" in the certification block as described in the instruction for completing the manifest in the Appendix to 40 CFR Part 262. In addition, when transporting by rail, the manifest is not handled in the same manner as for the highway mode. Consult 49 CFR 172.205(f) for the additional requirements pertaining to manifest dissemination when waste is transported by rail.

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d. In addition to RCRA manifest requirements, there may be instances when a Nuclear Regulatory Commission (NRC) Uniform Low Level Radioactive Waste Manifest is required. In general, this NRC manifest will be required for sites with low level radioactive wastes as defined by the NRC. The NRC manifest and associated requirements can be found in Appendix G to 10 CFR 20. This NRC manifest, when properly completed, will fulfill DOT requirements.

e. It should be noted that there may be several manifest requirements for the same shipment. USACE personnel should confirm that all manifest requirements are met.

f. All USACE-members executing hazardous waste manifests and related documents must receive appropriate training before executing such documents. Training records fulfilling all regulatory requirements must be documented and must be maintained onsite in the event of a regulatory inspection. The minimum required training is specified in reference 1a.

6. In order to meet the training needs in this area, a special session of the manifest PROSPECT course will be offered (course control #223). The existing course will be expanded to cover Department of Transportation (DOT) and NRC requirements associated with the transportation of FUSRAP-type wastes. This special session will provide information on the anticipated proper shipping names and associated manifest requirements for FUSRAP-type wastes. The special session is scheduled for mid-June 1998 and will be conducted in Buffalo, NY. Requests for training and registration should be directed to Ms. Joy (Rebecca) Rodriguez tel. (205) 895-7448.

7. The Point of Contact for this CB is Sue Abu-Eid, CEMP-EC, tel. (202) 761-4539.

8. This CB was coordinated with the following HQUSACE organizations: Office of the Chief Counsel (CECC-C); Environmental Division (CEMP-RT); and Operations, Construction, and Readiness Division (CECW-OC).


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